

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

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in its capacity as elected Office

Date of mailing (day/month/year)

12 May 1999 (12.05.99)

International application No.

PCT/AU98/00811

Applicant's or agent's file reference

International filing date (day/month/year)

25 September 1998 (25.09.98)

Priority date (day/month/year)

25 September 1997 (25.09.97)

Applicant

JAY, William, Harold

1. The designated Office is hereby notified of its election made:

☒ In the demand filed with the International Preliminary Examining Authority on:

23 April 1999 (23.04.99)

☐ In a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

S. Mafla

Telephone No.: (41-22) 338.83.38

Form PCT/IB/331 (July 1992)

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|--|--|--|
| Applicant's or agent's file reference MLA/NJC | FOR FURTHER ACTION | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416). |
| International application No. PCT/AU 98/00811 | International filing date (day/month/year) 25 September 1998 | Priority Date (day/month/year) 25 September 1997 |
| International Patent Classification (IPC) or national classification and IPC Int. Cl.⁶ B01J 39/18, 41/12, 43/00 | | |
| Applicant (1) HOLBRAY PTY LTD (2) JAY, William Harold | | |


- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheet(s).

3. This report contains indications relating to the following items:

- | | | |
|------|-------------------------------------|---|
| I | <input checked="" type="checkbox"/> | Basis of the report |
| II | <input type="checkbox"/> | Priority |
| III | <input type="checkbox"/> | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| IV | <input type="checkbox"/> | Lack of unity of invention |
| V | <input checked="" type="checkbox"/> | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| VI | <input type="checkbox"/> | Certain documents cited |
| VII | <input type="checkbox"/> | Certain defects in the international application |
| VIII | <input type="checkbox"/> | Certain observations on the international application |

| | |
|---|---|
| Date of submission of the demand 23 April 1999 | Date of completion of the report 19 January 2000 |
| Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustrialia.gov.au Facsimile No. (02) 6285 3929 | Authorized Officer  ASOKA DIAS-ABEYGUNAWARDENA Telephone No. (02) 6283 2141 |

I. Basis of the report**1. With regard to the elements of the international application:***

- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the claims, pages , as originally filed,
 pages , as amended (together with any statement) under Article 19,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the drawings, pages , as originally filed,
 pages , filed with the demand,
 pages , filed with the letter of .
- ☐ the sequence listing part of the description:
 pages , as originally filed
 pages , filed with the demand
 pages , filed with the letter of .

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

| | | |
|-------------------------------|------------|-----|
| Novelty (N) | Claims | YES |
| | Claims 1-6 | NO |
| Inventive step (IS) | Claims | YES |
| | Claims 1-6 | NO |
| Industrial applicability (IA) | Claims 1-6 | YES |
| | Claims | NO |

2. Citations and explanations (Rule 70.7)**NOVELTY (N) Claims 1-6**

-WO 96/28251 A - claims 1-6

-WO 94/00237 A - claims 1-6

-JP 56-33044 - claim 1

Each of these citations explicitly disclose all the features of the claims.

For example in WO 96/28251

- Superabsorbent Polyurethane foam - For example, page 3 line 12, page 4
- Ion exchange medium - For example, page 6 line 1

INVENTIVE STEP (IS): Claims 1-6

Claims 1-6 As above.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU 98/00811

A. CLASSIFICATION OF SUBJECT MATTER

Int Cl⁶: B01J 39/18, 41/12, 43/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC B01J 39/18, 41/12, 43/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
AU: IPC as above

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Derwent

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|---|-----------------------|
| X | WO 96/28251 (Monotech Pty. Ltd) 19 September 1996 (see whole document) | 1-6 |
| X | WO 94/00237 (Monash University) 6 January 1994 (see whole document) | 1-6 |
| X | Patents Abstracts of Japan, C-58, page 49, JP 56-33044 (Toyo Gomu Kogyo K.K.) 3 April 1981 (see Abstract) | 1 |

☒ Further documents are listed in the
continuation of Box C

☒ See patent family annex

| | | |
|---|--|---|
| <p>* Special categories of cited documents:</p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier application or patent but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> | | <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&" document member of the same patent family</p> |
|---|--|---|

Date of the actual completion of the international search
7 November 1998

Date of mailing of the international search report
12 NOV 1998

Name and mailing address of the ISA/AU
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INTERNATIONAL SEARCH REPORT

International application No.
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| C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT | | |
|---|--|-----------------------|
| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| A | AU 639201 (19331/92) (William Harold Jay) 15 July 1993 | |
| A | US 4826497 (Marcus et al) 2 May 1989 | |
| A | US 4284511 (Weitzen et al) 18 August 1981 | |
| A | WO 95/18159 (Monotech Pty Ltd) 6 July 1995 | |
| A | AU 629790 (18629/92) (William Harold Jay) 8 October 1992 | |

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No. ...
PCT/AU 98/00811

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

| Patent Document Cited in Search Report | | | | Patent Family Member | | | |
|--|---------|----|----------|----------------------|---------|----|---------|
| WO | 9628251 | AU | 48710/96 | CA | 2217866 | EP | 814907 |
| WO | 9400237 | AU | 43000/93 | EP | 647160 | NZ | 252953 |
| | | ZA | 9304593 | | | | |
| US | 4826497 | AU | 18542/88 | BR | 8803205 | CA | 1314275 |
| | | CN | 1035095 | EP | 297543 | HU | 48123 |
| | | IN | 171667 | IN | 172098 | JP | 1085113 |
| | | US | 4795482 | US | 5013335 | US | 5254337 |
| | | AU | 26776/88 | | | | |
| WO | 9518159 | AU | 13757/95 | NZ | 278304 | ZA | 9410325 |
| END OF ANNEX | | | | | | | |

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